



# STATE OF WISCONSIN Assembly Journal

## Ninety-Ninth Regular Session

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WEDNESDAY, August 26, 2009

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The Chief Clerk makes the following entries under the above date:

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### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 21** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 128** offered by Representative Brooks.

Assembly substitute amendment 1 to **Assembly Bill 159** offered by committee on **Urban and Local Affairs**.

Assembly amendment 1 to **Assembly Bill 164** offered by committee on **Children and Families**.

Assembly amendment 1 to **Assembly Bill 181** offered by Representative Krusick.

Assembly substitute amendment 1 to **Assembly Bill 214** offered by committee on **Children and Families**.

Assembly substitute amendment 1 to **Assembly Bill 227** offered by Representative Sherman.

Assembly amendment 1 to **Assembly Bill 296** offered by committee on **Children and Families**.

Assembly amendment 2 to **Assembly Bill 296** offered by committee on **Children and Families**.

Assembly substitute amendment 1 to **Assembly Bill 297** offered by committee on **Children and Families**.

Assembly substitute amendment 1 to **Assembly Bill 298** offered by committee on **Children and Families**.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 314** offered by Representative Molepske Jr..

Assembly amendment 1 to **Assembly Bill 331** offered by Representative Townsend.

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### REFERRAL OF PARTIAL VETOES

#### **Assembly Bill 75**

Relating to: state finances and appropriations, constituting the executive budget act of the 2009 legislature.

To committee on **Rules**.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 392**

Relating to: finance charges for licensed lenders.

By Representatives Hintz, Milroy, Hixson, Colon, Richards, Benedict, Berceau, Bernard Schaber, Black, Clark, Cullen, Danou, Dexter, Garthwaite, Hebl, Hilgenberg, Hraychuck, Hubler, Kessler, Mason, Molepske Jr., Nass, Nelson, A. Ott, Pasch, Pocan, Pope-Roberts, Roys, Schneider, Seidel, Sherman, Sinicki, Smith, Soletski, Spanbauer, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, Young, Ziegelbauer and Zigmunt; cosponsored by Senators Hansen, Carpenter, Coggs, Ellis, Grothman, Jauch, A. Lasee, Lassa, Lehman, Miller, Risser, Robson, Taylor, Vinehout and Wirch.

To committee on **Financial Institutions**.

#### **Assembly Bill 393**

Relating to: using the results of standardized examinations to evaluate teachers.

By Representatives Davis, Ripp, Ballweg, Friske, Gottlieb, Huebsch, Kerkman, Knodl, Montgomery, Nerison, Nygren, Rhoades, Spanbauer, Strachota, Townsend, Van Roy, Zipperer and Nass; cosponsored by Senators Hopper, Darling, Grothman, Lazich and Olsen.

To committee on **Education**.

#### **Assembly Bill 394**

Relating to: the color and design of special distinguishing registration plates for fire fighters and emergency medical technicians.

By Representatives Lothian, Barca, Suder, Kerkman, Townsend, Gunderson, Murtha, Brooks, Nerison, Kestell, Hixson, Strachota, Davis, Ripp, Hintz, Kaufert, Zigmunt, Meyer, M. Williams and Pope-Roberts; cosponsored by Senators Kedzie, Wirch, Grothman, Darling, Schultz, Cowles, Taylor, Carpenter, Lehman and Kapanke.

To committee on **Transportation**.

**Assembly Bill 395**

Relating to: criteria for determining indigency for purposes of representation by the State Public Defender and requiring the exercise of rule-making authority.

By Representatives Sherman, Hebl, Grigsby, Hintz, Bies, Berceau, Colon, Dexter, Fields, Jorgensen, Kessler, Mason, Molepske Jr., A. Ott, Parisi, Petrowski, Pope-Roberts, Richards, Roys, Seidel, Smith, Soletski, Spanbauer, Staskunas, Tauchen, Turner, Van Akkeren, Van Roy, A. Williams and Young; cosponsored by Senators Coggs, Risser, Sullivan, Miller, Olsen, Vinehout, Wirch, Robson, Lassa, Erpenbach, Lehman, Plale, Hansen, Taylor and Schultz.

To committee on **Judiciary and Ethics**.

**Assembly Bill 396**

Relating to: an exemption from recording for time-share licenses.

By Representatives Clark, Van Akkeren, Schneider, A. Williams, Zepnick and Molepske Jr.; cosponsored by Senators Lassa, Holperin, Taylor, Vinehout, Risser, Olsen and Schultz.

To committee on **Tourism, Recreation and State Properties**.

**Assembly Bill 397**

Relating to: the definition of plumbing and classifying plumbers to do certain work.

By Representatives Soletski, Sinicki, Kestell, Mursau, Murtha, Staskunas, Turner, Vruwink and Zigmunt; cosponsored by Senators Plale, Taylor, Lehman, Hansen, Wirch, Holperin, Carpenter and Cowles.

To committee on **Labor**.

**Assembly Bill 398**

Relating to: granting police authority to technical college district boards.

By Representatives Soletski, Sherman, Townsend, Bies, Spanbauer, Brooks and Ballweg; cosponsored by Senators Plale, Hansen, Lehman, Schultz, Darling and Coggs.

To committee on **Colleges and Universities**.

**Assembly Bill 399**

Relating to: costs eligible for reimbursement under the Local Roads Improvement Program administered by the Department of Transportation.

By Representatives Smith, Jorgensen, Berceau, Clark, Turner, Petrowski, Brooks, Vruwink and Gottlieb; cosponsored by Senators Kreitlow and Lehman.

To committee on **Transportation**.

**Assembly Bill 400**

Relating to: requiring landlords to change locks.

By Representatives Dexter, Parisi, Berceau, Bernard Schaber, Clark, Grigsby, Hebl, Milroy, A. Ott, Pasch, Pohan, Roys, Seidel, Shilling, Smith, Suder, A. Williams and Wood; cosponsored by Senators Holperin, Hansen, Kreitlow, Schultz and Taylor.

To committee on **Housing**.

**Assembly Bill 401**

Relating to: creation of renewable resource credits by electric providers and granting rule-making authority.

By Representatives Zigmunt, Soletski, Benedict, Berceau, Bernard Schaber, Danou, Davis, Dexter, Gottlieb, Grigsby, Gunderson, Hixson, Honadel, Huebsch, Kestell, LeMahieu, Milroy, Montgomery, Nelson, Nygren, A. Ott, Ripp, Spanbauer, Suder, Townsend, Turner, Van Akkeren, Van Roy, Wood, Zepnick, Ziegelbauer and Zipperer; cosponsored by Senators Plale, Cowles, Leibham, Darling, Hansen, Holperin, Hopper, Kapanke, A. Lasee, Lassa, Lazich, Olsen, Risser, Schultz, Sullivan and Taylor.

To committee on **Energy and Utilities**.

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**REFERENCE BUREAU CORRECTIONS**

**Assembly Bill 21**

1. Page 4, line 13: substitute “(c)” for “(b)”.

**Assembly Bill 164**

1. Page 1, line 2: delete “(4) (a),” and substitute “(4) (a) and”.
2. Page 1, line 2: delete “, 48.981 (3) (d) 1. and 48.981 (7) (a) 4.”.

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**COMMUNICATIONS**

August 6, 2009

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Patrick:

I am pleased to transmit to you the following reports to the 2009 Legislature on legislation introduced by the Joint Legislative Council:

RL 2009-09 Special Committee on Building Wisconsin's Workforce  
[2009 Assembly Bill 293 and 2009 Senate Bill 245; 2009 Assembly Bill 294 and 2009 Senate Bill 246]

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of these reports are available at the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at <http://www.legis.state.wi.us/lc>.

Sincerely,  
**TERRY C. ANDERSON**  
Joint Legislative Council  
Director

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August 11, 2009

Representative Tamara Grigsby  
State Capitol, Room 324 East  
P.O. Box 8953  
Madison, WI 53708

Dear Representative Grigsby:

Pursuant to motion number 764, adopted by the Joint Committee on Finance August 4, 2009, I hereby appoint you as one of the two JFC members to serve on the Advisory committee of the Office of Justice Assistance for the purpose of developing rules for the administration of traffic stop data collection.

This appointment terminates upon adoption of the rules or dissolution of the advisory committee, whichever occurs first.

Thank you for your willingness to serve in this capacity.

Sincerely,  
*MARK POCAN*  
State Representative  
78th Assembly District

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**DATE:** August 17, 2009  
**TO:** Chief Clerk of the Assembly  
**FROM:** WisDOT Truck Size and Weight Study Team  
**SUBJECT:** Final Truck Size and Weight Study Report

Thank you for your participation in the Wisconsin Truck Size and Weight Study Advisory Group (SAG). Many efforts have been made since the December 31, 2008 submission of the draft report to the Legislature. The consultant team has completed the remaining tasks and provided a final version of the TS&W Report.

If you have any questions, please contact Peter Lynch, Freight Operations Manager, at [peter.lynch@dot.wi.gov](mailto:peter.lynch@dot.wi.gov) or 609-267-4486.

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August 19, 2009

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

I would like to request that my name be removed as a co-sponsor of 2009 Senate Bill 127 and Assembly Bill 179.

Sincerely,  
*GLENN GROTHMAN*  
State Senator  
20th Senate District

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August 20, 2009

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Even though the deadline is passed, I would like to sign on to Representative Jeff Smith's Reimbursement Eligibility for the Local Roads Improvement Program bill. Please add me as a co-author to Assembly Bill 399.

I would also like to sign on to Representatives Newcomer and Hintz and Senator Lehman's Local Government Efficiency and Consolidation Act. Please add me as a co-author of Assembly Joint Resolution 65.

Sincerely,  
*PENNY BERNARD SCHABER*  
State Representative  
57th Assembly District

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August 20, 2009

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Please remove my name as a co-sponsor of Assembly Bill 271, relating to: professional land surveyors, the practice of professional land surveying, surveying land abutting navigable waters and granting rule-making authority.

If you have any questions about this request, please feel free to call me.

With kindest regards,  
*DALE W. SCHULTZ*  
State Senator  
17th Senate District

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August 25, 2009

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Please remove myself as a co-author to Assembly Bill 179.

Thank you and if you have any questions, please contact my office.

Sincerely,  
*RICHARD J. SPANBAUER*  
State Representative  
53rd Assembly District

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## REFERRAL OF AGENCY REPORTS

State of Wisconsin  
Department of Natural Resources  
Madison

May 29, 2009

To the Honorable, the Legislature:

In fulfillment of the requirements under s. 299.83 (8)(h), Wisconsin State Statutes, I am transmitting the 2009 Green Tier Biennial Progress Report. Please distribute as appropriate. I am also providing a copy of the Report to the Governor and to the Chief Clerk of the Senate.

Green Tier continues to be a powerful, sustainable force for environmental and economic performance. We are confident that with the reauthorization of the Green Tier Law that a permanent stage has been set for those committed to superior environmental performance. We will be able to not only recognize their work through a program with longevity but also to continuously improve the ways that we grow a green Wisconsin economy. It is indeed heartening to see a range of participants from 3 employees in Wisconsin to several thousand employees worldwide that share a common goal-growing green together. Our report covers both our progress and our opportunities for improvement in an effort to give you a report with both the good things being done and good work yet to be done.

For more information on the Green Tier program or additional copies of this report, please contact Mark McDermid at (608) 267-3125, or visit our web site at <http://greentier.wi.gov>. Here is a link to the report: <http://dnr.wi.gov/org/caer/cea/environmental/reports/2009report.pdf>.

Sincerely,  
*MATTHEW J. FRANK*  
Secretary

Referred to committee on **Natural Resources**.

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State of Wisconsin  
Department of Health Services  
Madison

August 18, 2009

To the Honorable, the Legislature:

In accordance with s. 1.11 (2)(j), Wis. Stats., the Department of Health Services reports that it conducted one Environmental Assessment during the reporting period of July 1, 2008 through June 30, 2009.

The Environmental Assessment was done for the project to construct a new Female Treatment Facility at the Wisconsin Resource Center in Oshkosh, Wisconsin. It was determined

that the construction of this project does not have a significant negative effect on the environment.

Sincerely,  
*KAREN E. TIMBERLAKE*  
Secretary

Referred to committee on **Natural Resources**.

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## AGENCY REPORTS

State of Wisconsin  
Legislative Audit Bureau  
Madison

August 26, 2009

To the Honorable, the Assembly:

As required by [2005 Wisconsin Act 125](#), we have reviewed the pupil test score data provided to us by the School Choice Demonstration Project, which is a group of privately funded education researchers who are studying the Milwaukee Parental Choice Program. The Choice program provides publicly funded private school tuition for low-income children in Milwaukee.

Project researchers are conducting a five-year longitudinal study of Choice and Milwaukee Public Schools (MPS) pupils first selected in the 2006-07 school year. The representative sample includes 2,727 Choice pupils who were in the third through ninth grades in fall 2006 and a comparable group of 2,727 MPS pupils who were in the third through ninth grades in fall 2006. The researchers are tracking changes in Wisconsin Knowledge and Concepts Examination scores and determining how participation in the Choice program affects changes in academic achievement.

We reviewed the project's data for the 2007-08 school year, which is the second year the researchers arranged for the Wisconsin Knowledge and Concepts Examination to be administered to Choice pupils. We analyzed and generally confirmed the test score averages and related analyses that they reported in March 2009. However, as we discussed in our September 2008 report, we are unable to review average pupil test scores at individual Choice schools because the project, citing confidentiality concerns, has not provided us with this type of information. As a result, we cannot provide legislators and other policymakers with information about academic performance specific to each of the 120 Choice schools that operated in the 2007-08 school year. [2009 Wisconsin Act 28](#) made several changes to the testing requirements for Choice schools, and Wisconsin Knowledge and Concepts Examination scores for each school will be available to the public after the 2010-11 school year.

We appreciate the courtesy and cooperation extended to us by project researchers as we conducted this review.

Sincerely,  
*JANICE MUELLER*  
State Auditor